

JAN. 7. 1999 3:21PM FLEHR HOHBACH TEST

NO. 0547 P. 4

OFFICE
Recd 1/6/99

PATENT

Attorney Docket No.: PO233C6 (A-54528-9/WHD/DAV)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Examiner: NELSON
BERMAN, et al.) Group Art Unit: 1648 *Haw*
Serial No. 08/459,141)
Filed: 2 June 1995)
For: Vaccine Based on)
Membrane-Bound Proteins)
and Process for)
Making Them)

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being faxed to Examiner Nelson, on 1-7-99.

Signed: Judy Gil

TERMINAL DISCLAIMER

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Please charge the amount of \$110 to cover the requisite fee and any additional fees, including extension fees, or credit overpayments, to Deposit Account No. 06-1300 (Order No. A-54528-9/WHD/DAV).

Genentech, Inc. represents that it is the assignee of the entire right, title and interest of 1) U.S. Patent Application Serial No. 08/459,141 filed 2 June 1995 and 2) U.S. Patent Application Serial No. 08/357,084 filed 15 December 1994 allowed, but not issued. Written assignment proof of such assignment vested in Genentech, Inc. for each of the said applications (U.S.

- 1 -

01/08/1999 BFRIESON 00000002 061300 08459141
01 FC:148 110.00 CH

Serial No.: 08/459,141
Filed: 2 June 1995

Serial No. 08/459,141 filed 2 June 1995 which is a continuation of U.S. Serial No. 08/357,084 filed 15 December 1994) is recorded in the United States Patent and Trademark Office at Reel/Frame 4261/380-381.

Genentech, Inc. hereby disclaims that terminal portion of any patent granted on said Serial Number 08/459,141 [1] that would extend beyond the expiration date of U.S. Serial No. 08/357,084 [2]), and hereby warrants that any patent so granted on said Serial Number 08/459,141 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to said U.S. Serial No. 08/357,084, this disclaimer to run with any patent granted on said Serial No. 08/459,141 and to be binding upon the grantee/assignee, its successors or assigns.

The undersigned authorized representative of Genentech has reviewed the evidentiary documents referred to in the present Terminal Disclaimer in the chain of title of the present application and patent identified above, and it is certified that, to the best of assignee's knowledge and belief, title is in the assignee Genentech identified above.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of the above-listed in the event that it later: U.S. Serial No. 08/357,084 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Serial No.: 08/459,141
Filed: 2 June 1995

The undersigned is empowered to act on behalf of and as a representative and petitioner of the assignee, Genentech, Inc.

Respectfully submitted,

reg# 31054
Dale W. Dreger
Walter H. Dreger
Reg. No. 24,190

Dated: 4/7/99
605795

JAN. 7. 1999 3:22PM FLEHR F BACH TEST

NO. 0547 P. 7

OFFICE OF
Patent
1/7/99

PATENT
Attorney Docket No.: PO233C6 (A-54528-9/WHD/DAV)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Examiner: NELSON
BERMAN, et al.)
Serial No. 08/459,141) Group Art Unit: 1648
Filed: 2 June 1995)
For: Vaccine Based on)
Membrane-Bound Proteins)
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Making Them)

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being faxed to Examiner Nelson, on 1/7/99.

Signed: 

TERMINAL DISCLAIMER

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Please charge the amount of \$110 to cover the requisite fee and any additional fees, including extension fees, or credit overpayments, to Deposit Account No. 06-1300 (Order No. A-54528-9/WHD/DAV).

Genentech, Inc. represents that it is the assignee of the entire right, title and interest of 1) U.S. Patent Application Serial No. 08/459,141 filed 2 June 1995 and 2) U.S. Patent Application Serial No. 08/470,107 filed 6 June 1995. Written assignment proof of such assignment vested in Genentech, Inc. for each of the said applications (U.S. Serial No. 08/459,141 filed 2

- 1 -

01/08/1999 BFRIESDH 00000001 061300 08459141

01 FC:148 110.00 CH

Serial No.: 08/459,141
Filed: 2 June 1995

June 1995 and related U.S. Serial No. 08/470,107 filed 6 June 1995, which each are a continuation of Serial No. 08/357,084 filed 15 December 1994) is recorded in the United States Patent and Trademark Office at Reel/Frame 4261/380-381.

Genentech, Inc. hereby disclaims that terminal portion of any patent granted on said Serial Number 08/459,141 [1] that would extend beyond the expiration date of U.S. Serial No. 08/470,107 [2], and hereby warrants that any patent so granted on said Serial Number 08/459,141 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to said U.S. Serial No. 08/470,107, this disclaimer to run with any patent granted on said Serial No. 08/459,141 and to be binding upon the grantee/assignee, its successors or assigns.

The undersigned authorized representative of Genentech has reviewed the evidentiary documents referred to in the present Terminal Disclaimer in the chain of title of the present application and patent identified above, and it is certified that, to the best of assignee's knowledge and belief, title is in the assignee Genentech identified above.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of the above-listed in the event that it later: U.S. Serial No. 08/470,107 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims canceled by a reexamination certificate, is reissued, or

Serial No.: 08/459,141
Filed: 2 June 1995

is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is empowered to act on behalf of and as a representative and petitioner of the assignee, Genentech, Inc.

Respectfully submitted,

ngw 34054
Ouellet *for*
Walter H. Dreger
Reg. No. 24,190

Dated: 1/7/95
605790